

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DAVID ANTOINE STOKES
Plaintiff,
vs.

*

* CIVIL ACTION NO. WMN-10-3310

BALTIMORE CITY HOUSING AUTHORITY*
Defendant.

MEMORANDUM

The above-captioned case was filed on November 22, 2010. ECF No. 1. Plaintiff complains that:

“[There is a] conspiracy [and] evil intricate plot. I am homeless because an enemy of the states. Japanese agent Kim. Mr. Kimberly Mack.”

ECF No. 1 at p. 2.

Plaintiff seeks an injunction ordering “Section 8” housing and entry into the “R.A.P.” program, so that he may receive housing, vouchers, and funds. By attachment, he shows that he contacted the Defendant in November 2010, to raise “treason” allegations against the Japanese people for the alleged deaths and injury to celebrities and children. He also complains that his former landlord, Kimberly Mack, evicted him prior to a “deadline date.” Plaintiff makes note that “Kim” is a Japanese name. *Id.* at Exhibit B.

The claims contained herein concern accusations that are clearly a product of Plaintiff’s delusions.¹ A complaint that is totally implausible or frivolous, such as this, may be dismissed *sua sponte* for lack of subject matter jurisdiction pursuant to Fed. R. Civ. P 12 (b)(1). *See Apple v. Glenn*, 183 F.3d 477 (6th Cir. 1999); *O’Connor v. United States*, 159 F.R.D. 22 (D. Md. 1994); *see*

¹ While the Court is sympathetic to Plaintiff’s current situation, he fails to show how the claims constitute a constitutional deprivation by Defendant, warranting this Court’s federal jurisdiction.

also *Crowley Cutlery Co. v. United States*, 849 F.2d 273, 277 (7th Cir. 1988) (federal district judge has authority to dismiss a frivolous suit on his own initiative).

Accordingly, by separate Order which follows, the Complaint shall be dismissed.

/s/

Date: 12/01/10

William M. Nickerson
United States District Judge